

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(275)

CRM-M-10075-2023

Date of Decision: 13.04.2023

Rohit Kumar

...Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Dhruv Gupta, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Ms. Palak Dev, Advocate, for the respondents.

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HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of FIR No.113 dated 15.07.2021, registered under Sections 406/420 IPC 1860 at Police Station Sector-9, Ambala City, District Ambala (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 30.01.2023 (Annexure P-2).

2. As per allegations levelled in the FIR, post receipt of an earnest money, the agreement was not adhered and complied with by the petitioner resulting into registration of the present FIR.

3. In pursuance to an order dated 24.02.2023 passed by this Court, whereby the parties were directed to appear before the trial Court for getting their statements recorded as regards, the veracity of compromise arrived at between them, report dated 14.03.2023 has been received from the concerned court, stating that the compromise in the present case is valid, genuine,

voluntary and without any coercion or under influence. There is no other accused except the present petitioner and the sole complainant namely, Saroj Bala Gupta. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioner submits that once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as other subsequent proceedings arising out of the same against the petitioner, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. On the other hand learned State counsel submits that after receiving earnest money by the petitioner, the agreement was not adhered to or enforced.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is found to be fully in consonance with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052* and *Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543*.

7. Thus in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgment, the instant petition is allowed and FIR No.113 dated 15.07.2021, registered under Sections 406/420 IPC 1860 at Police Station Sector-9, Ambala City, District Ambala (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment costs of Rs.5,000/- to be deposited by the petitioner with the Punjab and Haryana High Court Association Lawyer’s Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

(HARKESH MANUJA)  
JUDGE

13.04.2023  
anil

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No